

Electronic Filing
ECF 1:07-cv-06915

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----X
TRAVELERS CASUALTY AND SURETY COMPANY,
etc.,

Plaintiffs,

07-CV-6915-DLC

- - against - -

DORMITORY AUTHORITY - STATE OF NEW YORK,
et al.,

Defendants.

Answer
to
Cross-Claim

-----X
DORMITORY AUTHORITY OF THE STATE OF
NEW YORK, et ano.,

Third-Party Plaintiffs,

- - against - -

TRATAROS CONSTRUCTION, INC.,

Third-Party Defendant.

-----X
TRATAROS CONSTRUCTION INC. and TRAVELERS
CASUALTY AND SURETY COMPANY,

Fourth-Party Plaintiffs,

- - against - -

CAROLINA CASUALTY INSURANCE COMPANY,
et al.,

Fourth-Party Defendants.

-----X
Carolina Casualty Insurance Company ("Carolina") answers the cross-claims set forth in
the December 7, 2007, answering pleading of **Ohio Casualty Insurance Company** ("Ohio")
as follows:

First Although Ohio states its cross-claims are against "all" Fourth-Party Defendants, the pleading was not served on Fourth-Party Defendant Carolina, and contains no allegations against Carolina. If intended against Carolina, it fails to state any claim upon which relief can be granted.

Second Carolina lacks information sufficient to form a belief as to any of the allegations of Ohio's cross-claims except that, based on information from Crocetti, Carolina believes Ohio was an insurer for Crocetti, and Carolina denies that the statement attributed to Crocetti in paragraph 13 of Ohio's "Second Count" was made in this action or in reference to claims or allegations concerning Crocetti asserted in this action.

Third The "Second Count" of Ohio's cross-claims seems to be directed against G.M. Crocetti, Inc. but Crocetti is not a Fourth -Party Defendant nor otherwise a party in this case. Moreover, the insurance policy which is the subject of Ohio's cross-claim is now property of Crocetti's bankruptcy estate.

WHEREFORE, it is respectfully requested that Ohio's cross-claims, stated to be against "all" Fourth-Party Defendants, be dismissed as to Fourth-Party Defendant Carolina.

Dated: New York, NY
January 18, 2008

For Fourth-Party Defendant Carolina Casualty
Insurance Company

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- - and - -

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